# IN THE UNITED STATES DISTRICT COURT

#### FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff.

VS.

No. CR 15-4268 JB

ANGEL DELEON, et al.

Defendants.

#### SUPPLEMENTAL JUROR QUESTIONNAIRE

As a prospective juror in this case, you are being asked to fill out a questionnaire reflecting your personal attitudes and experiences. We ask that you complete this questionnaire, to inform us of your present situation and the perspectives you bring to court at this time. The questions are asked not to invade your privacy, but to make sure that you can be a fair and impartial juror *in this particular case*, though questions contained in the questionnaire may have nothing to do with the facts of this case. The integrity of our legal system depends on the fairness and impartiality of the judge and jurors. It is therefore important to know if there is any reason why you might not be able to listen openly to both the prosecution and the defense, and even more important that you say so.

The questionnaires will be viewed only by the judge, court personnel, and the legal teams for the prosecution and defense. At no time will they be made available to the media or the public.

There are no right or wrong answers, only complete and honest answers. Please respond to each question as honestly and completely as you can, based on your best understanding of the questions. Do not leave any questions blank. If a particular question does not apply to you, write "N/A" in the space provided for the answer. Upon completion of the questionnaire, you are required to sign and date the Juror's Oath. Your answers will have the effect of a statement given to the Court under oath.

You should not discuss this case or the questionnaire with anyone, including your family and fellow jurors. Nor should you do any research in reference to this questionnaire. Research includes using the internet or any type of social media to attempt to find further information about any subject, issue, words in this questionnaire or related to this or a similar case. Your answers must be your own. If you need more space for your responses, or wish to make further comments about any of your answers, please use the extra sheet at the back of the questionnaire.

We realize that we have imposed upon your time in asking you to fill out this questionnaire. We thank you in advance for your attention, patience and honesty. We believe you will find that this process expedites Jury Selection for you, the Judge and the lawyers.

JUDGE JAMES BROWNING

#### **BACKGROUND:**

1. a.	Please tell us the following about your job. (If not currently employed, tell us about your last job Where do you work?			
 b.	How long have you worked there?			
c.	What are your job title(s) and duties:			
			others as part of your job?	YESNO g others?YESNO
	What other jobs have you held?			
3.	M	ivorced _	years SeparatedWido married Living with	wed If Div./Sep./Widowed: for years a someone
4.	Spouse	's or signif	icant other's current occupa	tion and employer:
	If you lehold).	have childi	ren or stepchildren, tell us t	he following (whether or not they are living in your
GEN	DER	AGE	HIGHEST EDUCATION LEVEL	OCCUPATION
-				

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6	f you have grandchildren, please tell us how many, their ages and occupations, if employed:
	Male(s): Ages:
	pations:
Occi	pations.
—— # of	Female(s): Ages:
	pations:
	putono.
	Do you have brothers or sisters?YESNO ES, please list by gender, age and occupation.
***************************************	
8.	What are/were (even if deceased or retired) your parents' occupations?
Fath	er:
Mot	ner:
9.	If you, or a close relative, have had military experience, indicate who (relation to you) the branch
of se	rvice and rank at discharge:
a.	Who (relation to you)?
b.	What special schools or training did you/they receive?
С	Did you/they see or participate in combat? YES NO

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		CLARK, VERNON MARK
f YES, please explain circumstances.		
-	lege or vocational school,	•
What degrees or certific	eates did you earn?	·
11. Have you ever take	n any courses, had trainin	g or worked in any of the following areas:
	Law enforcement	
Investigation	Forensics	Any health related field
Ethics News/Media/Journa	Toxicology alism	Emergency services
Please describe:	· · · · · · · · · · · · · · · · · · ·	
	oout your knowledge in an NO If YES, please exp	ny of these fields that would influence you if selected lain.
-	or DNA analysis, traumat	or knowledge in firearms, fingerprinting, fingerprint tic injury, autopsies, or any other forensic field?
	eapons? YES weapons do you own, and	

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14. Have you, or any friends, relatives or acquaintances applied, worked or volunteered for a regulatory or law enforcement agency, which has as a part of its responsibilities the enforcement any state or federal laws? YES NO If YES, please state what type of law enforcement, where, when, in what capacity and in what specialty.		
15. Have you or any relatives, friends or acquaintances worked in security or investigative services?  YES NO If YES, please state who (their relation to you), where, when and circumstances.		
16. Have you or any relatives, friends or acquaintances ever worked in a prison, jail, detention center or for probation services? YES NO If YES, please state who, where, when and circumstances.		
17. Have you or any friends or acquaintances ever visited a prison, jail or detention center?  YES NO If yes, please state who (relation to you) and explain the circumstances:		
a. What impressions, if any, did you/they form about life inside the prison/jail/detention center?		
18. What bumper stickers, if any, do you have on your vehicle?		
10 What religious civic social union professional fraternal political or recreational organizations		

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CLARK, VERNON MARK
have you joined or participated in, and what offices, if any, have you held in these organizations?
20. Have you, any family members or close friends participated in, or contributed money to, any group such as Crime Stoppers, MADD, SADD, neighborhood watch programs, shelters or crisis
centers, the National Rifle Association, Gun Owners of America, American Civil Liberties Union
(ACLU), Black Lives Matter, Planned Parenthood, Indivisible, or any group that takes public positions
on criminal justice issues (including gang violence, prison expansion and prisoner rights)? YESNO
If YES, please tell us who was involved, at what level, and the nature and position of the group.
a. What led you/them to join?
b. What was the extent of your/their participation?
c. Would you consider you/them to be an Advocate for this group or any other group, particular
issue or cause? YES NO If YES, please explain:
21. In what ways, if at all, might your religious or philosophical beliefs affect your service as a juror?
22. Have you ever sought or held political office? YES NO If YES, please give details:
23. Have you worked in a political campaign? YES NO
If YES, please give name of the candidate, office sought, and issue(s) that led to your active support.

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	How do you keep up with the news? (Check all that apply.)  Radio Television Newspaper Magazines  Internet web/blogs/Twitter/Facebook Other
25.	Which newspapers do you read, either in print or online?
	w often? (Check one.) Regularly Somewhat A little Not at all ich parts of the newspaper do you read regularly?
	Do you regularly listen to or watch any radio or television news or talk shows?YESNO
27.	What Internet or web sites do you frequent?
a.	Have you ever had a blog or followed a blog? YES NO If Yes, what was your blog?
 b.	Do you regularly comment on blogs? YES NO If YES, which ones?
CR	IME AND GANGS:
28.	To what degree is crime a problem in your neighborhood? (Circle one number.)
	No problem at all 1 2 3 4 5 Very significant problem
a.	What type(s) of crime are most common in your neighborhood?
 b.	Are street gangs a problem in your neighborhood?YESNO
If \	VES please explain.

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29. What have you read or heard about gang activity in New Mexico?
From what source(s)?
a. What have you read or heard about gang involvement in drugs in New Mexico?
From what source(s)?
b. What particular gangs have you heard of?
From what source(s)?
30. Have you ever been in a situation in which you felt like you, or someone you know, were in physical danger or feared being hurt or killed? YES NO If YES, please describe:
a. Has anyone tried to choke you or someone you know? YES NO If YES, please explain.
b. Have you ever choked on an object/item or experienced the feeling that you were choking?  YES NO If YES, Please explain.
31. Have you, or anyone close to you, ever been threatened with a weapon, including a knife or firearm? YES NO
If YES, describe the situation(s) and the weapon(s).

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32.	Have you, your family or close friends been affected in any way by gang activity, including being
a m	ember of a gang or recruited by a gang?
	YESNO If YES, please explain.
33.	Have you, or anyone close to you, been the victim or witness of a crime, reported or not?
	VICTIM WITNESSNEITHER
If Y	ES, please explain who (relation to you), when, and what happened.
	W. d. initary and mlated? VES NO
a.	Was the incident gang related?YESNO
b.	Was it drug-related in any way? YES NO
c.	Was anyone arrested? YES NO
d.	Was it a violent crime? YES NO
e.	What was the outcome of the case?
<u> </u>	If there was a trial, did you/they testify? YES NO
g.	Did you/they think justice was served? Why or why not?
CR	RIMINAL JUSTICE EXPERIENCE
3/1	Have you, any family members or close friends called, been interviewed by or made a report to the
	ice, the FBI or any other local, state or federal law enforcement agency? YES NO
	YES, please explain the circumstances:
11	ES, please explain the circumstances.
	•
	•

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	Would you describe your experience with law enforcement, which includes local police, FBI, or ctions/prison officials as Positive or Negative? (Check one and explain.)	
35. Would you be more likely to believe a law enforcement officer, including an FBI agent or prison official, over any other witness in a court of law? YES NO Why or why not?		
convid Who	Have you or any member of your family or close friend been accused, arrested, charged of cted of any offense other than a traffic ticket? YES NO If YES, please state:  (in relation to you)?	
What When	crime??	
Was it	he incident gang related in any way? YES NO t drug-related in any way? YES NO	
Was it Outco If con	he incident gang related in any way? YES NO	

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38. What have you seen, read or heard about violence between prisoners, and what prisoners do to protect themselves?		
Source(s)?		
39. What have you seen, read or heard about the use of solitary confinement in prisons?		
Source(s)?		
40. What have you seen, read or heard about gangs in prisons?		
Source(s)?		
41. Do you believe that a prison inmate is presumed innocent if he is being prosecuted for committing a crime while in prison?YESNO  Why or why not?		
a. Do you believe it should be easier to convict a prison inmate who commits a crime in prison than a person who is not in prison who commits the same crime?YESNO Why or why not?		
42. Have you or anyone you know been involved with drugs? YESNO  If YES, please explain who, relationship to you, nature of involvement, and particular drug(s).		

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43. Do you support the legalization of marijuana? YES NO
44. Do you support the legalization of all controlled substances? YES NO
45. Have you, or anyone close to you, worked or volunteered in a program concerned with drust treatment or drug education, or joined any organization or campaign concerned with the use or abust of drugs? YES NO.  If YES, please state who (relationship to you); name and purpose of program, organization or campaign; and extent of your participation
a. Do you have strong feelings or special knowledge about the use of illegal drugs or individuals who sell/distribute or manufacture illegal drugs? YES NO  If YES, please explain.
46. Do you think your feelings involving people who sell or use drugs, or your personal experiences involving drugs might influence you in a case where there are allegations of distribution of drugs?  YES NO If YES, please explain:
RACIAL QUESTIONS:
47. Please state your personal opinion about the following:
a. Hispanic men have been unfairly discriminated against by our criminal justice system.
Strongly agree Agree Agree somewhat
Disagree Strongly disagree Don't know
No opinion

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b.	Hispanic males commit most of the violent crime in New Mexico.		
	Strongly agree	AgreeAgree somewhat	
	Disagree	Strongly disagree Don't know	
	No opinion		
c.	Hispanic males commit r	ost drug offenses in New Mexico.	
	Strongly agree	AgreeAgree somewhat	
	Disagree	Strongly disagree Don't know	
	No opinion		
d.	Hispanic males are more	likely to participate in violent gangs in New Mexico.	
	Strongly agree	AgreeAgree somewhat	
	Disagree	Strongly disagree Don't know	
	No opinion		
A	Prison is not enough of a	deterrent for Hispanic males.	
C.	Strongly agree	AgreeAgree somewhat	
	Disagree Disagree	Strongly disagree Don't know	
	No opinion	Strongly disagree Don't know	
	-	1.4. 4.6	
f.	_	deterrent for anyone engaging in drug crime and gang violence.	
	Strongly agree	AgreeAgree somewhat	
	Disagree	Strongly disagree Don't know	
	No opinion		
48.	Do you believe that racia	prejudice exists in this country today? YES NO	
	•	or against Hispanics?YESNO	
11 1	Lo, picase expiani.		

### **CRIMINAL JUSTICE SYSTEM:**

50. What movies, books or TV programs about violent crime, the criminal justice system, prison life or gang activity have been of interest to you?
What did you learn?
51. What criminal cases have you followed in the news?
Why were those cases of particular interest?
52. Do you think if a person is brought to trial, there must be some truth to the charges? YESNO If Yes, please explain.
a. Is it more likely that a person brought to trial is guilty under the law? YES NO Why or why not?
If a person who is brought to trial is a member of a prison gang, and that gang is allegedly involved in murder, assault and drug trafficking:  a. There must be some truth to the charges against the individual personYESNO  b. That individual person brought to trial is likely guiltyYESNO Please explain.

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54.	In a trial with multiple defendants who are alleged to be members of a gang, do you believe the
	es against each defendant should be judged individually? YES NO or why not?
after i	The judge will instruct you that the burden is on the prosecution to prove beyond a reasonable that the defendant is guilty; it is not for the defense to prove that the defendant is not guilty. If, hearing the evidence, you thought the defendant could be guilty, but you were not convinced and a reasonable doubt that he is guilty, would you be able to return a verdict of not guilty?  YESNO
If NC	), why not?
56.	If the charges are proven beyond a reasonable doubt, would anything prevent you from cting any or all of the Defendants?YESNO
57.	Would you be in fear of retaliation if you came to a decision to vote guilty?YES NO
58. consi	A person accused of a crime does not have to testify in his defense, and his silence may not be dered as evidence against him. How do you feel about that?
	Do you know any employee of the Office of the United States Attorney for the District of New co, or have you had any dealings with that office?YESNO

60. Do you personally, or in connection with your business, have an interest (financial of						
otherwise) in any pending legal action or dispute with the United States, or any officer, agents of						
employees of the United States?YESNO If YES, please explain:						
61. Have you served on a jury? YES NO If YES, please indicate:						
a. State Court Civil Criminal Date(s)						
b. Federal Court Civil Criminal Date(s)						
c State Grand Jury Date(s)						
d Federal Grand Jury Date(s)						
e. Briefly describe the nature of the case(s)						
f. Was your trial jury able to reach a verdict? YES NO BOTH						
If NO or BOTH, please explain:						
Trio of Borri, prease explain.						
g. Were you ever the foreperson? YES NO Number of times						
h. Is there anything about your prior jury service that might make it difficult for you to serve again?						
YESNO If YES, please explain.						
62. Have you, any family members or close friends ever been an attorney, or ever worked for any						
private attorney, city or town attorney, District Attorney, state Attorney General, U.S. Attorney or in a						
courthouse? YES NO If YES, please state who, where and when, and in what capacity.						
·						

#### NATURE OF EVIDENCE AND CHARGED CRIMES:

This case involves allegations that members, prospects and associates of Sindicato de Nuevo Mexico/ Syndicato de Nuevo Mexico ("SNM") were engaged in acts of violence and other criminal activity.

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63. Have your read,	seen or heard anyt	thing about the SNM?	YES	NO
If YES, please indica	ate the source(s). (	Check all that apply.)		
TV news N	lewspaper	Radio news	Inter	met/blogs/Twitter
Other people	Overheard c	onversations	_ Other, spec	ify:
a. What stands out	most in your mind	l about what you have	read, seen or l	neard?
b. How did you rea	act to what you rea	d, saw or heard?		
c. What did you la	st read, see, or hea	r about the SNM?		4,41141
When and where wa	s that?			
individuals charged	with crimes alleged	dly committed by the S	5NM? YE	on about the guilt of the ES NO
If YES, what opinion	n have you formed	? (Circle one number.)	1	
No	ot Guilty 1	2 3 4	5	Guilty
64. Do you, or anyocharged in this case? If YES, please expla	YESYES _		s involved in a	any way with the events
a. Have you read, If YES, please expla		hing about the case itse	elf?YES	NO
Source(s)?				

	o explain why and h		ay arroc		CHOSCI	r as a ju	ror.	
66 A gang	mambar should be b	ald many	:1-1-	<b>.</b>	1	1		
on behalf of		eiu resp	onsidie	ior crii	ninai a	cis that	other gang members co	mmitted
	Strongly Disagree	1	2	3	4	5	Strongly Agree	
68. A gang giust as response 69. During texpectation of	Strongly Disagree member who is awar nsible for the crimina Strongly Disagree the course of this tria	e of his al act as 1	gang's the pec	plans to ople what is a serie of a serie own	o commo commo 4	5 nit a crim nit the c 5	Strongly Agree  ninal act, and doesn't strime.  Strongly Agree  duals who are testifying act and/or other benefits	op it, is
	d it matter to you that equences of their acti						y for them to avoid the why not?	full legal

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a. Knowing your own sensibilities, do you feel it is possible you would be unable to look at sucl												
photographs and video recordings at all, if they were part of the evidence?YESNO												
b. Do you think your reaction to such graphic images could be so strong as to affect your ability to listen to <i>all</i> the evidence and reach a fair and impartial decision whether guilty or not guilty, based on the entirety of the evidence presented in court and the judge's instructions on the law?YESNO												
						Please explain your concerns, if any, about your ability to view and evaluate all evidence, including						
						any graphic photographs and video.						
71. There may be evidence that victims in this case may be gang members. Will the fact that a victim may be a gang member affect your ability to render a guilty verdict? YES NO  a. Do you think that being a gang member they deserve what they get, even if it means being victim of a crime? YES NO  If YES, please explain:												
JURY SERVICE  72. Do you agree that every juror is entitled to hold his or her own opinions and that differences in individual opinions should be respectedYESNO												
a. Will you expect to be treated with dignity and respect during jury deliberations? And will you likewise treat your fellow jurors with dignity and respect, even if you do not share their view?  YES  NO												
b. Will you stand up for the right of every juror to vote their decisions in the manner they feel is appropriate, even if other jurors disagree with their "vote"? YESNO												
Please explain what you feel it means to you to respect your fellow jurors:												
73. Do you have any health problems that might make it difficult for you to sit as a juror in this case? YES NO If YES, please explain:												

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CLARK, VERNON MARK
Are you taking any medications which might make it difficult for you to sit and listen rely to testimony for hours at a time?YESNO , please state the medication(s) and the effect on you.
What thoughts, if any, do you have about individuals with visible and multiple tattoos?
Have you recently experienced or anticipating a significant loss, death, stressor or life-changing nat would make jury service difficult for you at this time? YES NO please explain:
Is there any matter, including your past jury service, that may interfere with your duty as a juror with an open mind to the evidence in this case and render an impartial verdict based solely on lence (or lack thereof) and the judge's instructions on the law? YES NO please explain:
The trial in this case is expected to last approximately eight weeks in Las Cruces, New Mexico. anything about the approximate length of time that would not allow you to serve on this jury?  ESNO  please explain:

#### **JUROR'S OATH**

questionnaire. I further declare that I have completed the	his questionnaire without anyone's assistance.
Signature	
	DATE

I affirm under penalty of law that I have answered truthfully and completely all questions in this

#### JUROR'S NAME (Please print)

Please use this space to complete any answers to questions in the questionnaire. Indicate the number of the question, before continuing with your full answer.